

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JAMES H. LIMBRIGHT and
HENRY J. LIMBRIGHT,

Case No. 04-60270

Judgment Plaintiffs,

v.

District Judge Marianne O. Battani
Magistrate Judge R. Steven Whalen

GEORGE HOFMEISTER and
KAY RAMSAY HOFMEISTER,

Judgment Defendants,

THE GEORGE S. HOFMEISTER FAMILY
TRUST f/b/o MEGAN G. HOFMEISTER,
THE GEORGE S. HOFMEISTER FAMILY
TRUST f/b/o SCOTT R. HOFMEISTER,
THE GEORGE S. HOFMEISTER FAMILY
TRUST f/b/o JAMIE S. HOFMEISTER,

Supplementary Defendants.

ORDER

Before the Court is Plaintiff's Motion to compel Production of Documents by Judgment Defendants [Docket #15], which has been referred for hearing and determination pursuant to 28 U.S.C. §636(b)(1)(A). For the reasons stated on the record on July 14, 2005,

IT IS ORDERED that Plaintiff's Motion is GRANTED IN PART AND DENIED IN PART, as follows:

1. As to the entities identified as the Innovative Entities and Highland Farms, the Motion to Compel is granted, and Judgment Defendants (the Hofmeisters) shall produce or cause to be produced by the Trusts the documents requested in Plaintiff's First Request to Judgment Defendants for Production of Documents, Request #s 6, 9, 10, 11, 12, 13, 14 and 15.

2. As to the entities identified as Trans Industries and Entry Holdings, the motion is granted in part; Judgment Defendants shall produce all documents identified in Request #s 6, 9, 10, 11, 12, 13, 14 and 15 which are in their actual possession or in the possession of their attorneys, accounts or other agents or employees.

However, the motion is DENIED IN PART, WITHOUT PREJUDICE, in that Judgment Defendants shall not at this time be required to produce or cause to be produced requested documents pertaining to Trans Industries and Entry Holdings which are in the possession and control of the trusts, but not in the actual possession of Judgment Defendants. This portion of the motion may be revisited pending further discovery.

SO ORDERED.

s/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: July 26, 2005

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on July 26, 2005.

s/Gina Wilson
Judicial Assistant